

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**RESPIRATION MONITORING SYSTEM AND METHOD**

☒ the specification of which is attached hereto OR  
☐ was filed on [date] as Application Serial No. [Serial No.] or PCT International  
 Application Number [Int'l. App. No.] and was amended on [date] (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 (a)-(d) or (f) or 365(b) of any foreign application(s) for patent or inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY NOT CLAIMED	CERTIFIED COPY ATTACHED			
					Yes		No
					Yes		No
					Yes		No

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. PARENT APPLICATION OR PCT PARENT NUMBER	PARENT FILING DATE (day, month, year)	STATUS (patent and number, pending, abandoned)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER(S)	FILING DATE (day, month, year)

As a named inventor, I hereby appoint Practitioners at Customer Number:

33679

jointly, and each of them severally, my/our attorney(s) or agents(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent and to transact all business in the Patent and Trademark Office connected therewith.

I hereby direct that all correspondence and telephone calls in connection with this application be addressed to:

David G. Luetgen  
FOLEY & LARDNER

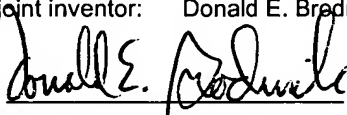
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Telephone: (414) 297-5769  
Facsimile: (414) 297-4900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, statements were made with the knowledge that willfully false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that all such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first joint inventor: Donald E. Brodnick

Inventor's signature:



Date:

17-Feb-2004

Residence: Cedarburg, Wisconsin

Citizenship: United States of America

Post Office Address: N75 W7115 Linden Street  
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Full name of second joint inventor: Scott R. Wiese

Inventor's signature: Scott R. Wiese

Date: 3.8.2004

Residence: Glendale, Wisconsin

Citizenship: United States of America

Post Office Address: 7505 North Berywn Avenue  
Glendale, WI 53209

Subscribed and sworn to before me, in  
my presence, the 8 day of March  
2004 a Notary Public in and for the  
state of Wisconsin.

Michelle L. R. R. R.

(Signature)

Notary Public

My commission expires July 10, 2005

